

PERSONNEL APPEALS BOARD
MINUTES OF MEETING HELD ON June 24, 2020

Board members Gail Wilson, Marilee Nihan, Norman Patenaude, and Jason Major convened at 10:00 a.m. at the N.H. Division of Personnel, 54 Regional Drive, Concord, N.H. to conduct the business of the Board. The four members constituted a quorum. RSA 91-A:2, III (b) and (c).

AGENDA AND ACTION

1. **Appeal of Thomas Owens – 2020-T-002 – Motion for Rehearing and Objection:** Order denying motion signed by Chair Patenaude.
2. **Appeal of Justin Evans – 2019-D-005 – Motion for Hearing on Monetary Damages:** Objection timeperiod has not expired, no action taken. Add item to future agenda.
3. **Appeal of Michael Feinauer – 2018-T-010 – Motion to Enforce Subpoena and Continue/Reschedule Final Hearing:** Board members agreed to deny motion to enforce. Hearing currently scheduled for August 5. Case will be scheduled for July 16 prehearing to discuss second hearing day requested by State.
4. **Annual Report due September 1, 2020:** Commissioners Patenaude/Wilson in conjunction with DOP staff will begin drafting fiscal year end 2020 report.
5. **FY 22 and FY 23 Budget Plan:** Chair Patenaude will work with Director Rudis to draft budget. Expected due date is September/October.
6. **Record Retention:** Board reviewed Rule Per-A 208.04. Commissioners agreed it needs to be updated for clarification and for an improved evidence retention standard.
7. **Other Business:**
 - a. Case of Paul Mansur. Mr. Mansur has been terminated since LOW appealed. The Board discussed how to handle this matter. Appellant's lawyer not licensed to practice in NH. Mr. Mansur to be contacted directly, case will be added to next prehearing conference.
 - b. Non-public session per RSA 91-A:3, II (c): Commissioner Wilson moved, Commissioner Nihan seconded, to enter into non-public session at 10:20 a.m. Roll call vote: Acting Chair Patenaude, yes; Commissioner Major: yes, Commissioner Wilson, yes; Commissioner Nihan, yes. Vice Chair Patenaude moved to conclude executive session at 10:30 a.m. Unanimously approved. No motions or decision were made during executive session.

- c. Acting Chair Patenaude reported to the Board that Director Rudis has offered legal support from DAS legal counsel to support the writing of legal documents, i.e. orders and decisions.
- d. Status of pending cases: reviewed by Board.
- e. Next scheduled meetings: July 15: Brightman Hearing; July 16: Hearing, prehearing, and business meeting.
- f. Minutes of May 27: Acting Chair Patenaude moved to approve the minutes of May 27 meeting. Commissioner Major seconded. Unanimously approved.

Acting Chair Patenaude moved to adjourn at 10:45 a.m., Commissioner Major seconded. Unanimously approved.

Respectfully recorded,

Marilee Nihan, PAB Member

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